

Before the  
Federal Communications Commission  
Washington, DC 20554

Nov 12 11 42 AM '04

In the Matter of )

Request for Review of the Decisions of the )  
Universal Service Administrator by )Decatur Public Schools )  
Decatur, Arkansas )

File No. SLD-388506

Schools and Libraries Universal Service Support )  
Mechanism )

CC Docket No. 02-6

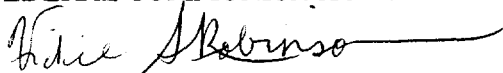
**ORDER****Adopted: November 10, 2004****Released: November 12, 2004**

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Decatur Public Schools (Decatur), Decatur, Arkansas seeks review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> When Decatur filed its request with the Commission, it also had a Request for Review of the same decision on file with SLD.<sup>2</sup> The Commission's rules do not contemplate simultaneous appeals of SLD's decisions to the Administrator and the Commission.<sup>3</sup> We therefore dismiss without prejudice Decatur's Request for Review to the Commission. Once the Administrator has issued its decision, Decatur may then appeal to the Commission, if it believes such an appeal is warranted at that time.<sup>4</sup>

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed on September 21, 2004, by Decatur Public Schools, Decatur, Arkansas IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

  
Vickie S. Robinson  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

<sup>1</sup> Letter from Melissa Erks, Decatur Public Schools, to Federal Communications Commission, filed September 21, 2004 (Request for Review). Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>2</sup> Letter from Mike Parrish, Decatur Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed September 20, 2004.

<sup>3</sup> 47 C.F.R. § 54.720 (providing that, when an applicant has an appeal pending with the Administrator, the period to file with the Commission is tolled until the Administrator's review is complete).

<sup>4</sup> See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rules pertaining to Commission review of the Administrator's decisions).